

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
SOUTHERN DIVISION**

STATE OF MISSISSIPPI, *et al.*,

Plaintiffs,

v.

ROBERT F. KENNEDY, JR., in his official
capacity as Secretary of Health and Human
Services, *et al.*,

Defendants.

Civil Action No. 1:22-cv-00113-HSO-RPM

NOTICE OF SUSPENSION OF IMPROVEMENT ACTIVITY

Defendants respectfully submit this Notice to inform the Court that on May 6, 2025, the Centers for Medicare & Medicaid Services (CMS) announced the suspension of eight Merit-based Incentive Payment System improvement activities for the 2025 performance year, including the improvement activity at issue in this action, IA_AHE_8, Create and Implement an Anti-Racism Plan. *See* Exhibit A.¹ The announcement stated that CMS “intend[s] to propose removing these improvement activities in future rulemaking.” The announcement also informed clinicians that they should “select other improvement activities to complete” for the 2025 performance year, but stated that clinicians would be able to receive credit if they had already completed or were in the process of completing a suspended improvement activity before the suspension announcement was made. *Id.* Defendants intend to confer with Plaintiffs regarding next steps in this action.

¹ The announcement can also be accessed through the Quality Payment Program Resource Library, “Improvement Activities Suspension Announcement,” (May 6, 2025), available at: <https://qpp.cms.gov/resources/resource-library>.

Dated: May 6, 2025

Respectfully submitted,

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/s/ Alexander W. Resar
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